



COUNTY OF LOS ANGELES
OFFICE OF THE COUNTY COUNSEL

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September 2, 2015

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TO: PATRICK OGAWA
Acting Executive Officer
Board of Supervisors

Attention: Agenda Preparation

FROM: PATRICK A. WU 
Senior Assistant County Counsel
Executive Office

RE: **Item for the Board of Supervisors' Agenda**
County Claims Board Recommendation
Michael Rabinovitz, et al. v. County of Los Angeles, et al.
United States District Court Case No. CV 13-04823

Attached is the Agenda entry for the Los Angeles County Claims Board's recommendation regarding the above-referenced matter. Also attached are the Case Summary and the Summary Corrective Action Plan to be made available to the public.

It is requested that this recommendation, the Case Summary, and the Summary Corrective Action Plan be placed on the Board of Supervisors' agenda.

PAW:cs

Attachments

Board Agenda

MISCELLANEOUS COMMUNICATIONS

Los Angeles County Claims Board's recommendation: Authorize settlement of the matter entitled Michael Rabinovitz, et al. v. County of Los Angeles, et al., United States District Court Case No. CV 13-04823 in the amount of \$400,000 and instruct the Auditor-Controller to draw a warrant to implement this settlement from the Department of Children and Family Services' budget.

This lawsuit alleges the wrongful detention of a child by the Department of Children and Family Services ("Department") and alleges that employees of the Department made false statements which prolonged the separation.

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Michael Rabinovitz, et al. v. County of Los Angeles, et al.
CASE NUMBER	CV1304823
COURT	United States Central District Court
DATE FILED	October 16, 2013
COUNTY DEPARTMENT	Department of Children and Family Services
PROPOSED SETTLEMENT AMOUNT	\$ 400,000
ATTORNEY FOR PLAINTIFF	Donnie Cox Law Office of Donnie Cox
COUNTY COUNSEL ATTORNEY	Lauren Black Principal Deputy County Counsel
	David J. Weiss Law Offices of David J. Weiss
NATURE OF CASE	Warrantless Detention
PAID ATTORNEY FEES, TO DATE	\$ 84,382
PAID COSTS, TO DATE	\$ 10,288

Case Name: Rabinovitz vs. County of Los Angeles



Summary Corrective Action Plan

The intent of this form is to assist departments in writing a corrective action plan summary for attachment to the settlement documents developed for the Board of Supervisors and/or the County of Los Angeles Claims Board. The summary should be a specific overview of the claims/lawsuits' identified root causes and corrective actions (status, time frame, and responsible party). This summary does not replace the Corrective Action Plan form. If there is a question related to confidentiality, please consult County Counsel.

Date of incident/event:	July 5, 2012
Briefly provide a description of the incident/event:	The plaintiffs allege their civil rights were violated when the Department removed the minor from her father's custody on July 5, 2012.

1. Briefly describe the **root cause(s)** of the claim/lawsuit:

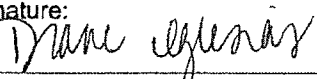
The plaintiffs allege their civil rights were violated when the Department removed a child from her father's custody on July 5, 2012, without a warrant after he was detained by the LAPD for illicit drug use and child endangerment.


2. Briefly describe recommended corrective actions:
(Include each corrective action, due date, responsible party, and any disciplinary actions if appropriate)

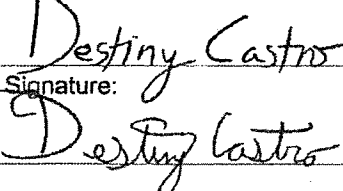
The Department had relevant policies and procedures in effect at the time of the incident and continues to ensure that its protocols complement the current state of the law and assist its workforce to provide appropriate and legally-sufficient child welfare services.

3. Are the corrective actions addressing department-wide system issues?

- ✓ The corrective actions address department-wide system issues.
The corrective actions are only applicable to the affected parties.

Name: (Risk Management Coordinator)	
DIANE IGLESIAS, SENIOR DEPUTY DIRECTOR	
Signature: 	Date: 7/7/16

Name: (Department Head)	
PHILIP L. BROWNING, DIRECTOR	
Signature: 	Date: 7-20-15

Chief Executive Office Risk Management Inspector General USE ONLY	
Are the corrective actions applicable to other departments within the County?	
<input type="checkbox"/> Yes, the corrective actions potentially have County-wide applicability.	
<input checked="" type="checkbox"/> No, the corrective actions are applicable only to this department.	
Name: (Risk Management Inspector General)	
Signature: 	Date: 6/17/2015